

INTRODUCTION

On August 1, 1904, the voters of the City of Rochester ratified a Home Rule Charter. That document as originally adopted contained 17 separate chapters and 314 consecutively numbered sections, and in its initial printed version ran almost 100 pages in length. In the 81 years since its adoption, the Charter has been modified on what may be described as a piecemeal rather than wholesale basis. Although the language of many of its sections have been amended, and a large number of them deleted, every proposal brought forth to amend the Charter by substituting in its place an entirely new document has met defeat when it was placed before the voters.

The result of this was that by 1961, in the eightieth year of the Charter's existence, a printed version became a document that was often difficult to comprehend. There were wide gaps between the section numbers because of deleted provisions. The organization of the sections within the document did not appear consistent because of additions and deletions to various provisions. In some cases, individual sections related to a multitude of unconnected topic areas. The language of widely separated sections in the text appeared inconsistent with one another.

For this reason, the Charter Commission in early 1985 recommended to the Common Council that the City Attorney be instructed to recodify the Charter text. Their recommendation of recodification was not designed to change the substantive meaning of any of the Charter's provisions, nor to accomplish what the voters of the City had rejected on a number of occasions - the creation of an entirely new document. Rather, the effort was to produce a printed document which would be more understandable to the reader and better organized so that reference to the rules expressed therein would be simpler to discover.

The Common Council concurred in the Charter Commission's recommendation and the printed Charter text which follows represents the first real recodification of the Charter since its initial adoption. (Printed versions of the Charter which incorporated previous amendments are extant from 1922, 1962, 1978, and several "interim" reprints in the period January 1, 1979, through January 1, 1984. These various printings, however, retained the organization and numbering of the 1901 version).

A person reviewing this text will note that both the numbering system for chapters and individual sections has been modified from previous printed versions. The order in which some sections appear in the printed text has been changed. In some instances, the text of a larger section has been divided into separate smaller sections and vice versa. In no instance, however, has the language contained in the original Charter or its amendments been changed, or its meaning altered, except when it was deemed necessary to:

- (1) to change reference numbers to agree with renumbered chapters, sections, or subdivisions;
- (2) to substitute the proper section, chapter, or subdivision numbers for the terms "this charter," "the preceding section," and the like;

- (3) To substitute figures for written words and vice versa;
- (4) to correct misspelled words;
- (5) to correct manifest grammatical and clerical errors, including punctuation; and
- (6) to change gender and capitalization for the purpose of uniformity.

In addition, the reader will note that many of the sections or subdivisions in the text have a brief topical description or headnote which is contained within parenthesis. These headnotes, as are the chapter headings, are an editorial device designed to aid the person reviewing the text. The chapter headings and headnotes for sections or subdivisions are not part of the official language of the text and should not be regarded as such.

Since the Charter is in the truest sense an organic document of City government, it is necessary for purposes of historical continuity that this printed recodification contain certain tables to enable a researcher to be able to trace the origin of the language of the various sections. This information is summarized in the Appendices A, B, and C at the end of the present reprint.